

Public Notice of Application for Permit

Regulatory Branch Post Office Box 3755 Seattle, Washington 98124-3755 Telephone (206) 764-3495

ATTN: Sandra Manning, Project Manager

Public Notice Date: March 30, 2005 Expiration Date: April 30, 2005

Reference: 200500075

Name: Washington State Department

Of Transportation

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Washington State Department of Transportation (WSDOT)

Olympic Region

Post Office Box 47417

Olympia, Washington 98504-7417

ATTN: Mr. Tom Whitney Telephone: (360) 570-6702

LOCATION: In wetlands, jurisdictional roadside ditches, and an unnamed tributary along State Route 3 and State Route 303 between the Waaga Way bridge and the Kitsap Mall Boulevard bridge near Silverdale, Kitsap County, Washington.

WORK: The project will construct a new interchange by redesigning the Waaga Way bridge from a 3 lane to a 6 lane bridge. The roadway on State Route 303 between the bridges will be realigned with a new curve to better flow into the new interchange. Also included in the proposal is the relocation of 2 ramps, realignment of 1 ramp, and the construction of 2 new ramps. Fill material will be placed into 0.01 of an acre of jurisdictional roadside ditches, and 1.47 acres of four separate wetland areas. In addition, 450 linear feet of an unnamed tributary to Clear Creek will be relocated to flow through a closed pipe drainage system to accommodate the new wider bridge structure and ramp. This portion of the unnamed tributary runs directly adjacent to a ball field, and relocation of the creek without the piping would have resulted in access to the field being cut off for public use, so was determined to be an unavoidable impact.

PURPOSE: Improve traffic flow, reduce congestion, and provide improved access to regional centers in the vicinity of Waaga Way bridge. The project will provide a more intuitive transition between the State Routes 3 and 303.

ADDITIONAL INFORMATION: The project is being designed to the new WSDOT 2004 Highway Runoff Manual. The natural low spot of the terrain is within the loop ramp area. Wetlands occurring within this area will be impacted by the road widening and by construction of a stormwater pond and stormwater bio-swales that will treat both quantity and quality of the stormwater runoff from the project site. WSDOT has determined this to be an unavoidable impact to wetlands because the road widening will occur directly adjacent to the existing road rather than following a new alignment, and for stormwater treatment impacts, the water all flows to this location, and would need to be collected and pumped to an adjacent upland location for stormwater treatment if a different location were available. Construction of the collecting and pumping system would result in similar impacts to the wetlands within the loop ramp area, and conveyance to another location would also increase the stream impacts. The wetlands to be impacted are located within the existing loop ramp, and surrounded on all sides by existing highways. They are Category III wetlands, with minimal functions. The primary functions include minimal habitat, water attenuation and some water quality treatment. These functions will be replaced with the stormwater treatment system, and impacts will be mitigated off-site as described below.

MITIGATION: There are 8 wetlands in the project vicinity, 4 of which have been avoided by the construction of retaining walls or project design to avoid fill. To compensate for unavoidable impacts to 1.47 acres of Category III forested, scrub-shrub and emergent wetlands, the conceptual mitigation proposal includes wetland creation of approximately 0.73 acres and enhancement of approximately 3.89 acres for a total of 4.62 acres to occur within a 6.49 acre section of a restoration site in Kitsap County. The proposed mitigation site is located approximately 0.5 miles north of the project site on land owned by Kitsap County, also known as the Schold Farm. The Farm is an approximately 69-acre site that is being restored from past farming uses as a mitigation site and public open space and passive recreation park/education area. The existing site is mostly wetland that is regularly mowed and hayed, and historically supported farm animals. The site has been extensively ditched, and streams have been channelized on the property. The site regularly has standing water during the winter months, and currently supports a mix of reed canary grass, velvet grass, soft rush, and tall fescue. The hydrology on the site is mainly groundwater driven.

Within this 6 acre site, mitigation will also include restoration of a portion of a tributary to Clear Creek to compensate for project impacts to the different un-named tributary to Clear Creek that will be piped as part of this project. The un-named tributary for mitigation will be restored through plugging the existing deep ditch channels, and reconfiguring and creating a sinuous channel, and adding a riparian wetland community.

The wetland areas will be planted with a diverse mix of native species, resulting in creation and enhancement of a mix of habitat types including 1.01 acres of scrub/shrub, 3.26 acres of forested, and .35 of an acre of emergent communities. The upland buffer areas will also be planted with native trees and shrubs.

The Corps has received the State Route 3/303 Interchange Draft Mitigation Plan (Plan) dated March 2005 and the Plan is currently under review by the Corps. No decisions have been made as to the adequacy of the mitigation as proposed. Any comments received by the Corps on the proposed mitigation will be used to evaluate the adequacy of the proposed mitigation.

ENDANGERED SPECIES:

The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated or proposed critical habitat. The following species and their status in the state of Washington, may occur in the proposed project area: Puget Sound chinook, (Oncorhynchus tshawytscha), threatened; Bald eagle (Haliaeetus leucocephalus) threatened; Coastal/Puget Sound bull trout (Salvelinus confluentus), threatened; Marbled murrelet (Brachyramphus marmoratus), threatened; Northern spotted owl (Strix occidentalis), threatened. There is no critical habitat listed or proposed within the project area.

After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the above listed species.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect

Essential Fish Habitat (EFH). The proposed action would impact approximately 2 acres of EFH for Pacific salmon in the project area.

If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. An historic properties investigation has been conducted within the permit area and within the mitigation site. No sites determined eligible for or listed on the National Register of Historic Places were found to exist within the permit or mitigation areas. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>PUBLIC HEARING:</u> Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

<u>ADDITIONAL EVALUATION</u>: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program, and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is outside of the Shoreline Jurisdiction of Kitsap County, so no Shoreline permit is required for this work. However, Kitsap County is reviewing the proposal for a critical area ordinance authorization.

200500075

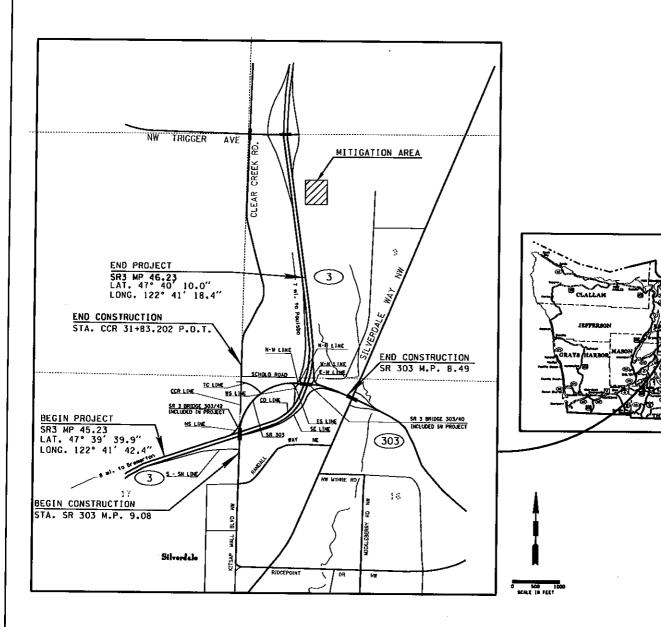
The project has received a determination of non-significance by WSDOT, the lead agency for the State Environmental Policy Act (SEPA). This decision was adopted on January 14, 2005.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Sandra.L.Manning@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

200500075 Washington State Department of Transportation

Encl Drawings (19)

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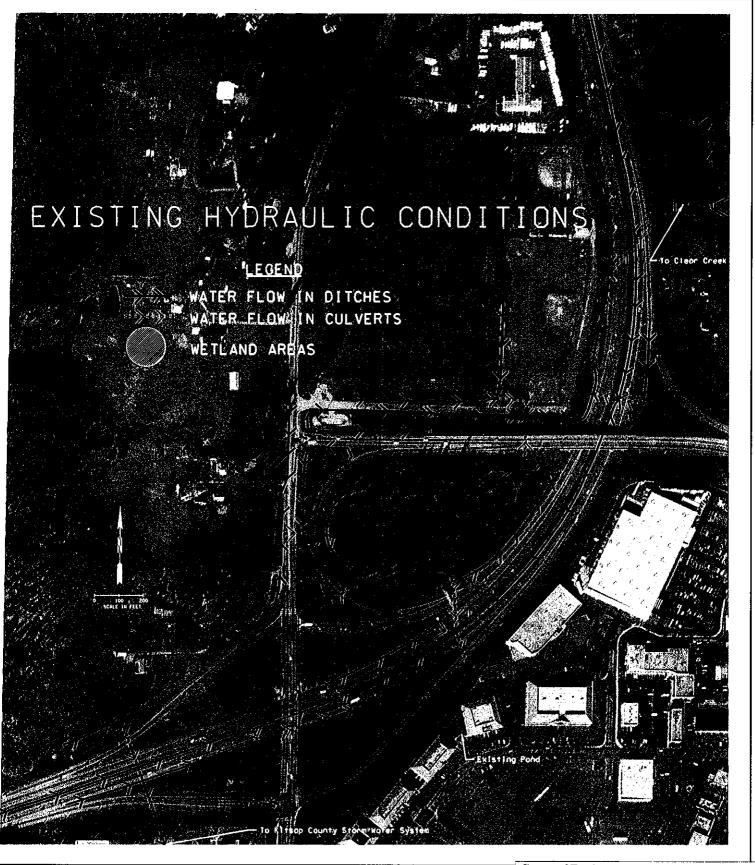


MITIGATION VICINITY MAP

PURPOSE: SR3 / SR303 INTERCHANGE	
DATUM: N.A.V.D. 1988	garan grann a
APPLICANT: WSDOT	
COUNTY: KITSAP	Transfer
WEAR: SILVERDALE	/ /aux
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REFERENCE: MITIGATION VICINITY MAP	

Corps of Engineers
WA State Dept. of Transportation
SR 3/303 at Waaga Way Bridge
200500075
Figure ___1_ of __19 Date: 10 March 2005

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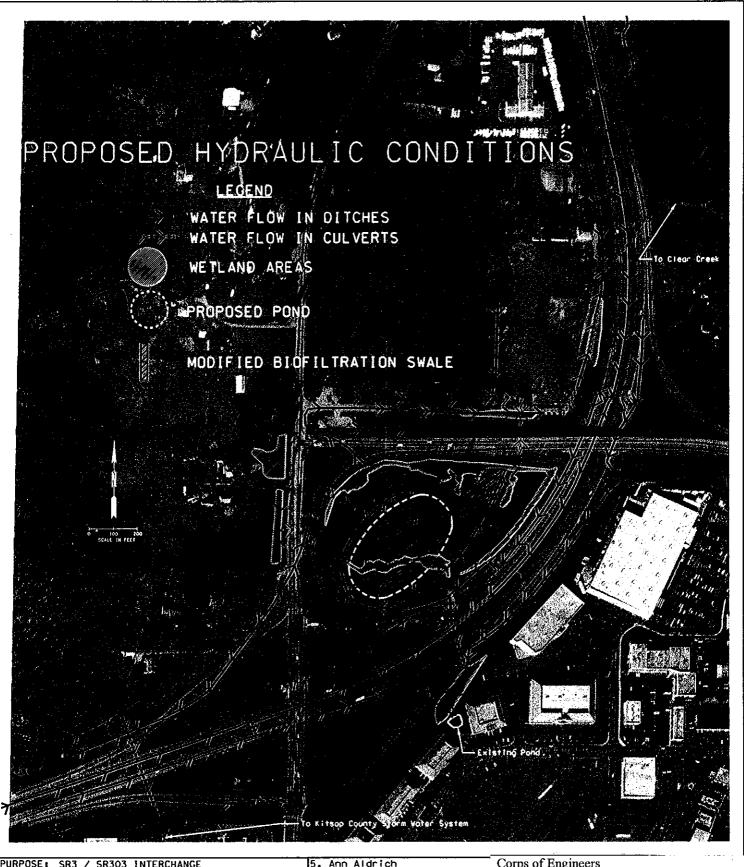
PURPOSE: SR3 / SR303 INTERCHANGE DATUM: N.A.V.D. 1988 ADJACENT PROPERTY OWNERS: Al White & Kenneth Malmborg William Boird M.J. Clementz Assoc. LLC Gary Warner

Ann Aldrich Silverdole Pee Wee Adult Assot WA State Dept. of Transportation APPLICANT: WSDOT COUNTY: KITSAP NEAR: SILVERDALE

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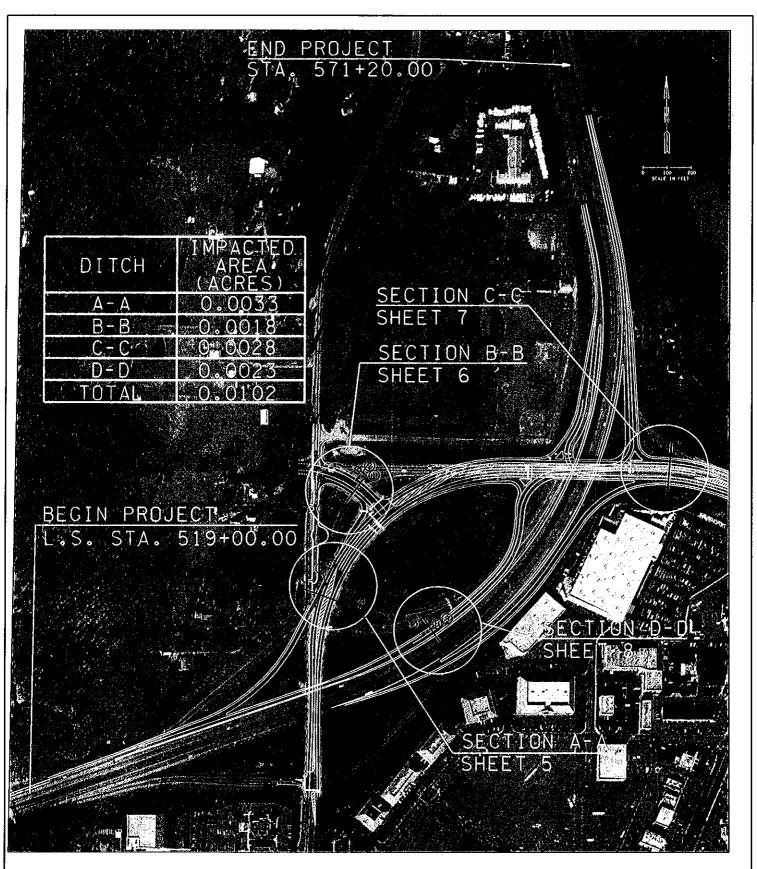
Corps of Engineers SR 3/303 at Waaga Way Bridge 200500075

Figure ___2__ of __19_ Date: 10 March 2005

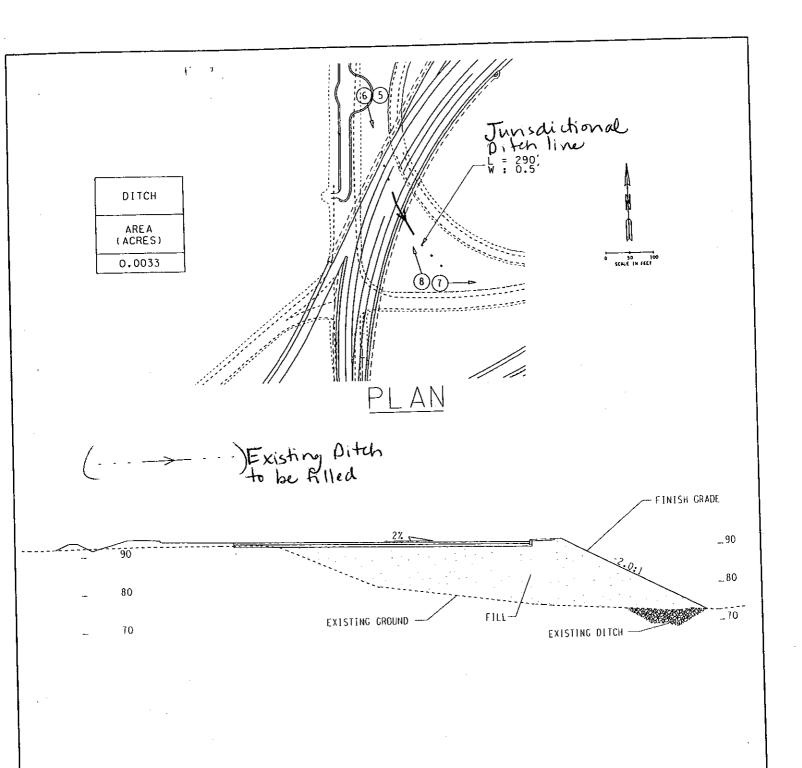


PURPOSE: SR3 / SR303 INTERCHANGE DATUM: N.A.V.D. 1988 Silverdale Pee Wee Adult A ADJACENT PROPERTY OWNERS: APPLICANT: WSDOT Al White & Kenneth Malmborg COUNTY: KITSAP 200500075 William Baird NEAR: SILVERDALE Figure 3 of 19 Date: 10 March 2005 M.J. Clementz Assoc. LLC REFERENCE: PROP. HYDRAULIC CO Gory Warner

Corps of Engineers WA State Dept. of Transportation SR 3/303 at Waaga Way Bridge

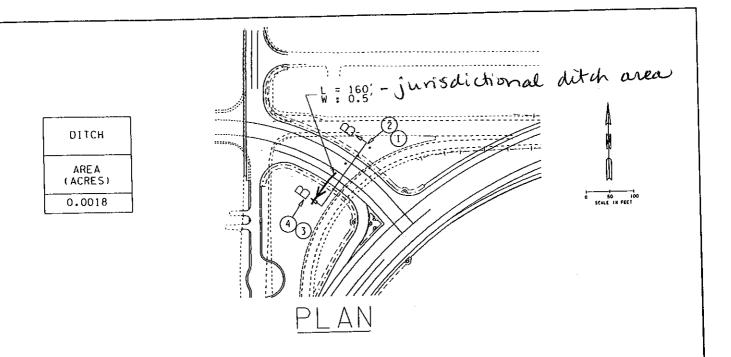


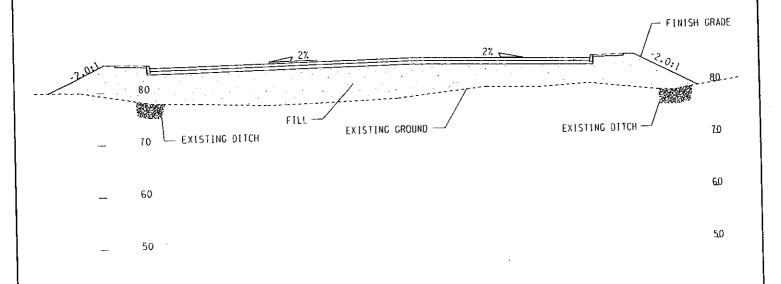
PURPOSE: SR3 / SR303 INTERCHANGE Corps of Engineers Ann Aldrich DATUM: N.A.V.D. 1988 6. Silverdale Pee Wee Adult Assoc WA State Dept. of Transportation ADJACENT PROPERTY OWNERS:
1. Al White & Kenneth Malmborg APPLICANT: WSDOT SR 3/303 at Waaga Way Bridge COUNTY: KITSAP 200500075 2. William Baird NEAR: SILVERDALE Figure __4__ of __19_ Date: 10 March 2005 3. M.J. Clementz Assoc. LLC REFERENCE: DITCH IMPACTS Gory Worner



SECTION A-A

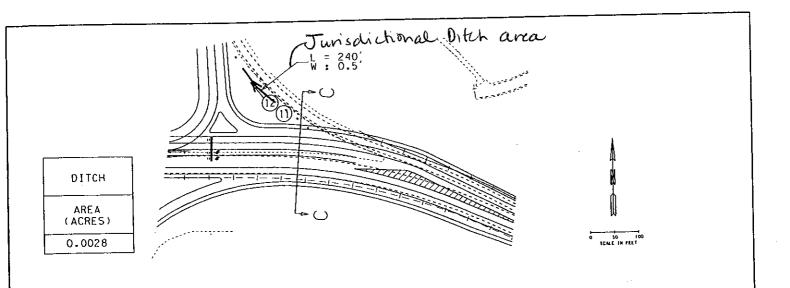
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3. M.J		REFERENCE: DITCH IMPACTS		j



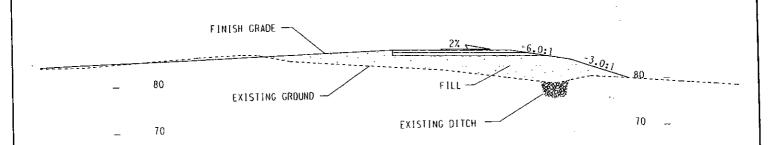


SECTION B-B

	5. Ann Aldrich Corps of Engineers
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DATUM: N.A.V.D. 1988 ADJACENT PROPERTY OWNERS:	APPLICANT: WSDOT SR 3/303 at Waaga Way Bridge
1. Al White & Kenneth Malmborg	COUNTY: KITSAP 200500075
2. William Baird	NEAR: SILVERDALE Di C SE 10 Date: 10 March 2005
3. M.J. Clementz Assoc. LLC	REFERENCE: DITCH IMPA
4. Gary Warner	INC. ENCO. D. Com.



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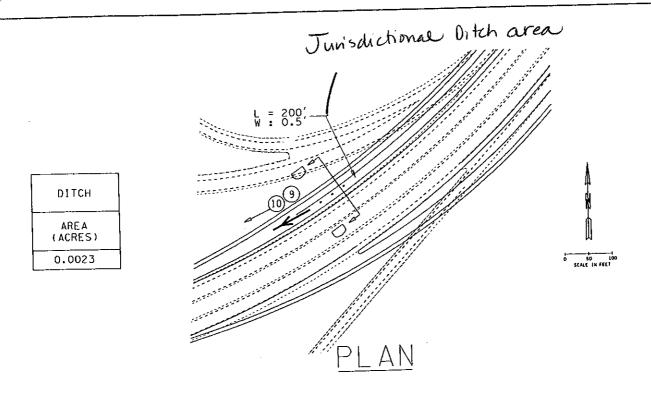


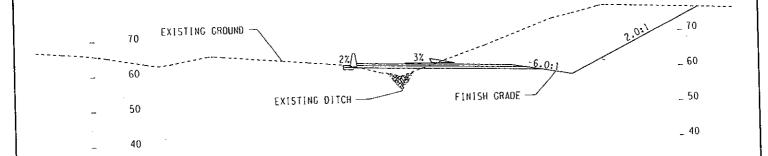
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PURPOSE: SR3 / SR303 INTERCHANGE	5. Ann Aldrich
DATUM: N.A.V.D. 1988	6. Silverdale Pee Wee Adu
ADJACENT PROPERTY OWNERS:	APPLICANT: WSDOT
1. Al White & Kenneth Malmborg	COUNTY: KITSAP
2. William Baird	NEAR: SILVERDALE
3. M.J. Clementz Assoc. LLC	DATE:
4. Gary Warner	REFERENCE: DITCH IMPACTS

Corps of Engineers
WA State Dept. of Transportation
SR 3/303 at Waaga Way Bridge
200500075

Figure ___7_ of ___19__ Date: 10 March 2005



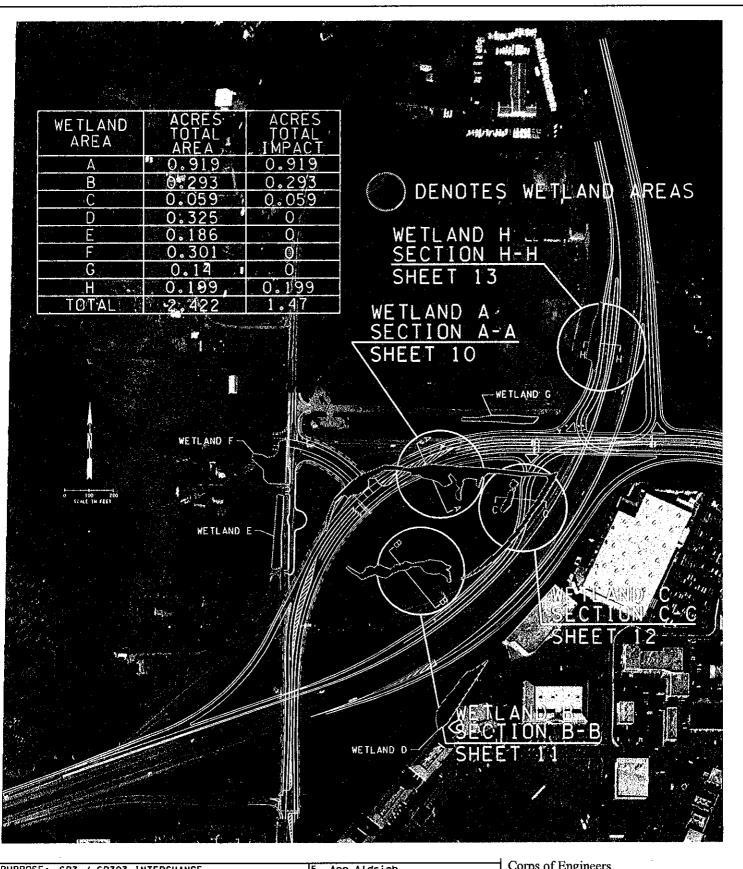


SECTION D-D

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PURPOSE: SR3 / SR303 INTERCHANGE	5. Ann Aldrich 6. Silverdale Pee Wei
DATUM: N.A.V.D. 1988 ADJACENT PROPERTY OWNERS:	APPLICANT: WSDOT COUNTY: KITSAP
Al White & Kenneth Malmborg William Baird	NEAR & SILVERDALE
3. M.J. Clementz Assoc. LLC 4. Gary Warner	DATE: REFERENCE: DITCH IMP

Corps of Engineers
WA State Dept. of Transportation
SR 3/303 at Waaga Way Bridge
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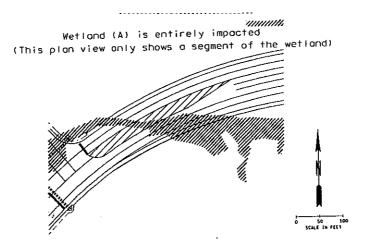
Figure ____8_ of __19_ Date: 10 March 2005



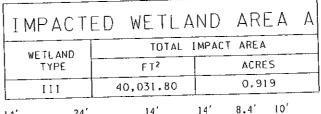
PURPOSE: SR3 / SR303 INTERCHANGE
DATUM: N.A.V.D. 1988
6. Silverdole Pee Wee Adult Ass
ADJACENT PROPERTY OWNERS: APPLICANT: WSDOT
1. AI White & Kenneth Malmborg COUNTY: KITSAP
2. William Baird NEAR: SILVERDALE
3. M.J. Clementz Assoc. LLC
4. Gary Warner REFERENCE: WETLAND IMPACTS

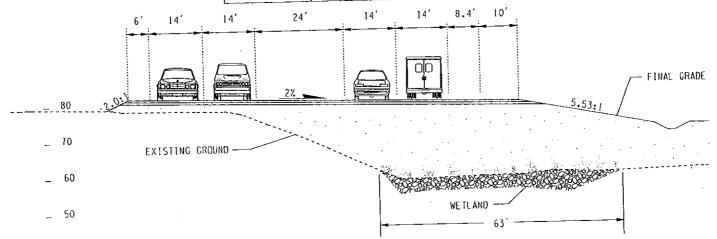
Corps of Engineers WA State Dept. of Transportation SR 3/303 at Waaga Way Bridge 200500075

Figure __9_ of ___19__ Date: 10 March 2005



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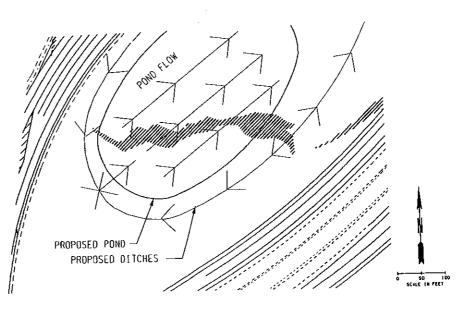
SECTION A-A

PURPOSE: SR3 / SR303 INTERCHANGE	5. Ann Aldrich 6. Silverdale Pee Wee Adult As
DATUM: N.A.V.D. 1988 ADJACENT PROPERTY OWNERS:	APPLICANT: WSDOT
1. Al White & Kenneth Malmborg 2. William Baird	COUNTY: KITSAP NEAR: SILVERDALE
3. M.J. Clementz Assoc. LLC	DATE: REFERENCE: WETLAND IMPACTS
4. Gary Warner	THE CHERCES WE LEVEL S

Corps of Engineers WA State Dept. of Transportation SR 3/303 at Waaga Way Bridge 200500075

Figure __'10__ of __19_ Date: 10 March 2005

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IMPACT	ED WETLAN	ND AREA B
WETLAND	TOTAL IN	MPACT AREA
TYPE	FT ²	ACRES
III	12763.13	0.293

EXISTING GROUND PROPOSED POND BOTTOM

WETLAND

25'

60

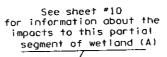
SECTION B-B

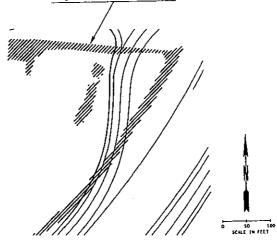
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PURPOSE: SR3 / SR303 INTERCHANGE	5. Ann Aldrich
DATUM: N.A.V.D. 1988	6. Silverdole Pee Wee Adult
ADJACENT PROPERTY OWNERS:	APPLICANT: WSDOT
1. Al White & Kenneth Malmborg	COUNTY: KITSAP
2. William Baird	NEAR: SILVERDALE
3. M.J. Clementz Assoc. LLC	DATE
4. Gary Warner	REFERENCE: WETLAND IMPACTS

Corps of Engineers WA State Dept. of Transportation SR 3/303 at Waaga Way Bridge 200500075

Figure __11__ of ___19__ Date: 10 March 2005

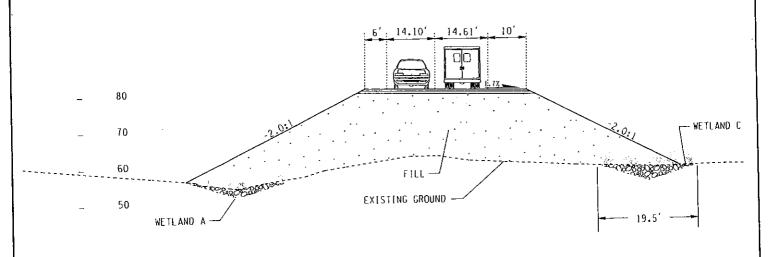
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IMPACT	ED WETLA	AND AREA	С
WETLAND	TOTAL	IMPACT AREA	
TYPE	FT2	ACRES	
111	2,570.05	0.059	

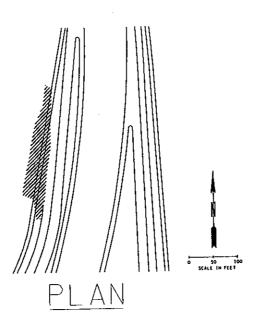


SECTION C-C

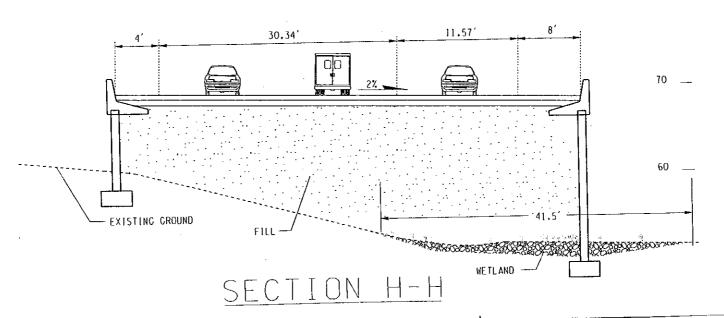
SUPERIOR AND SUPER	5. Ann Aldrich
PURPOSE: SR3 / SR303 INTERCHANGE	6. Silverdole Pee Wee Adult Ass
DATUM: N.A.V.D. 1988	APPLICANT: WSDOT
ADJACENT PROPERTY OWNERS:	COUNTY: KITSAP
2. William Boird	NEAR: SILVERDALE
3. M.J. Clementz Assoc. LLC	Date - 5, 2005
4. Gary Warner	REFERENCE: WETLAND IMPACTS

Corps of Engineers
WA State Dept. of Transportation
SR 3/303 at Waaga Way Bridge
200500075

Figure _12__ of __19_ Date: 10 March 2005



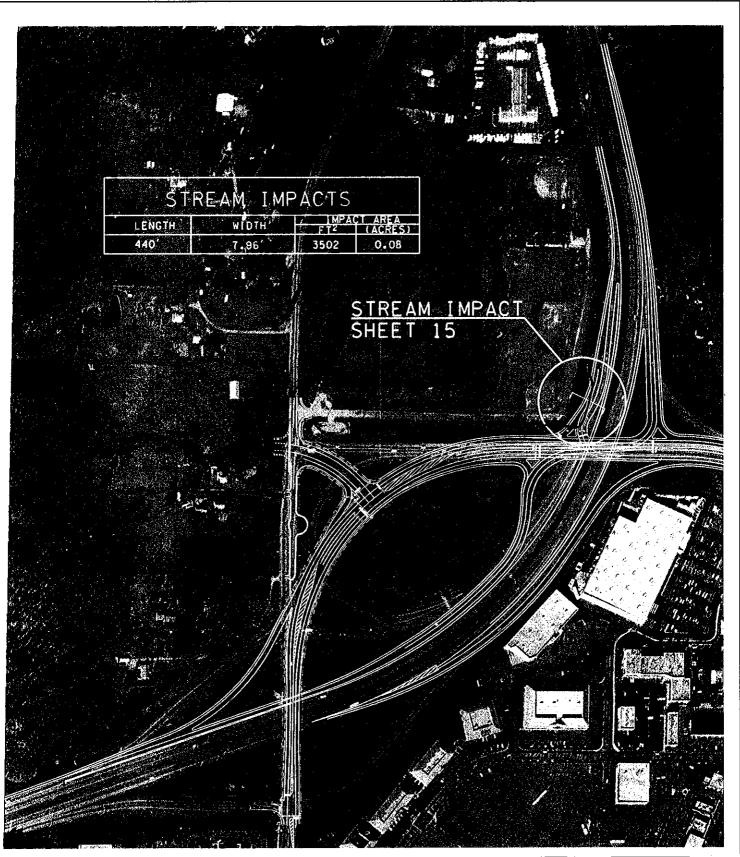
IMPACT	ED WETLA	ND AREA	H
WETLAND	TOTAL I	MPACT AREA	
TYPE	FT2	ACRES	
III	8668.47	0.199	



PURPOSE: SR3 / SR303 INTERCHANGE	5. Ann Aldrich
	6. Silverdole Pee Wee Adult A
DATUM: N.A.V.D. 1988	APPLICANT: WSDOT
ADJACENT PROPERTY OWNERS:	COUNTY: KITSAP
1. Al White & Kenneth Malmborg	
2. William Baird	NEAR: SILVERDALE
3. M.J. Clementz Assoc. LLC	
	REFERENCE: WETLAND IMPACTS
4. Gary Warner	11.5. 0

Corps of Engineers WA State Dept. of Transportation SR 3/303 at Waaga Way Bridge 200500075

Figure ___13_ of ___19__ Date: 10 March 2005



PURPOSE: SR3 / SR303 INTERCHANGE 5. Ann Aldrich

DATUM: N.A.V.D. 1988 6. Silverdale Pee Wee Adult Assoc

ADJACENT PROPERTY OWNERS: APPLICANT: WSDOT

1. Al White & Kenneth Malmborg COUNTY: KITSAP

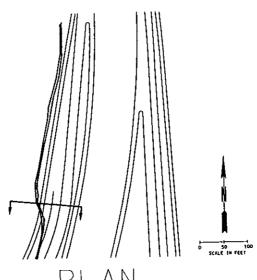
2. William Baird NEAR: SILVERDALE

3. M.J. Clementz Assoc. LLC

4. Gary Warner REFERENCE: STREAM IMPACTS

Corps of Engineers
WA State Dept. of Transportation
SR 3/303 at Waaga Way Bridge
200500075

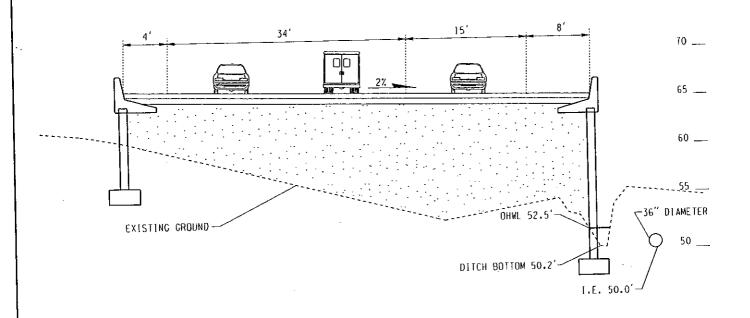
Figure ___14_ of __19_ Date: 10 March 2005





PLAN

STREAM IMPACTS				
LENGTH	WIDTH	FT2	(ACRES)	
440′	7.96	35021	0.08	



PURPOSE: SR3 / SR303 INTERCHANGE	5. Ann Aldrich 6. Silverdale Pee Wee Adult A		
DATUM: N.A.V.D. 1988			
ADJACENT PROPERTY OWNERS:	APPLICANT: WSDOT COUNTY: KITSAP		
2. William Baird			
3. M.J. Clementz Assoc. LLC			
4. Gary Warner	REFERENCE: WETLAND IMPACTS		

Corps of Engineers WA State Dept. of Transportation SR 3/303 at Waaga Way Bridge 200500075

Figure __15__ of ___19__ Date: 10 March 2005



PURPOSE: SR3 / SR303 INTERCHANGE
DATUM: N.A.V.D. 1988
APPLICANT: WSDOT
COUNTY: KITSAP
NEAR: SILVERDALE
DATE: REFERENCE: AERIAL PLAN VIEW

Corps of Engineers WA State Dept. of Transportation SR 3/303 at Waaga Way Bridge 200500075

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Corps of Engineers
WA State Dept. of Transportation
SR 3/303 at Waaga Way Bridge
200500075
Figure __17__ of ___19__ Date: 10 March 2005

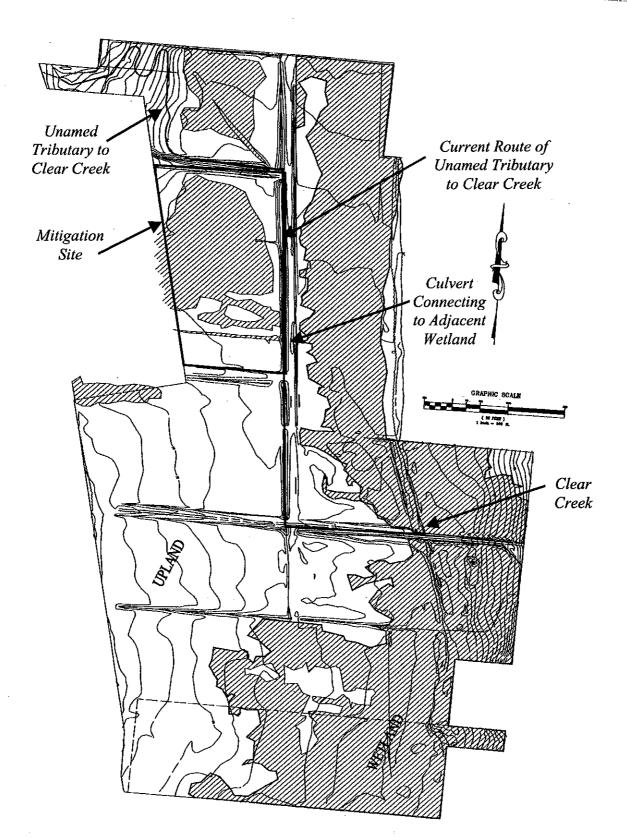
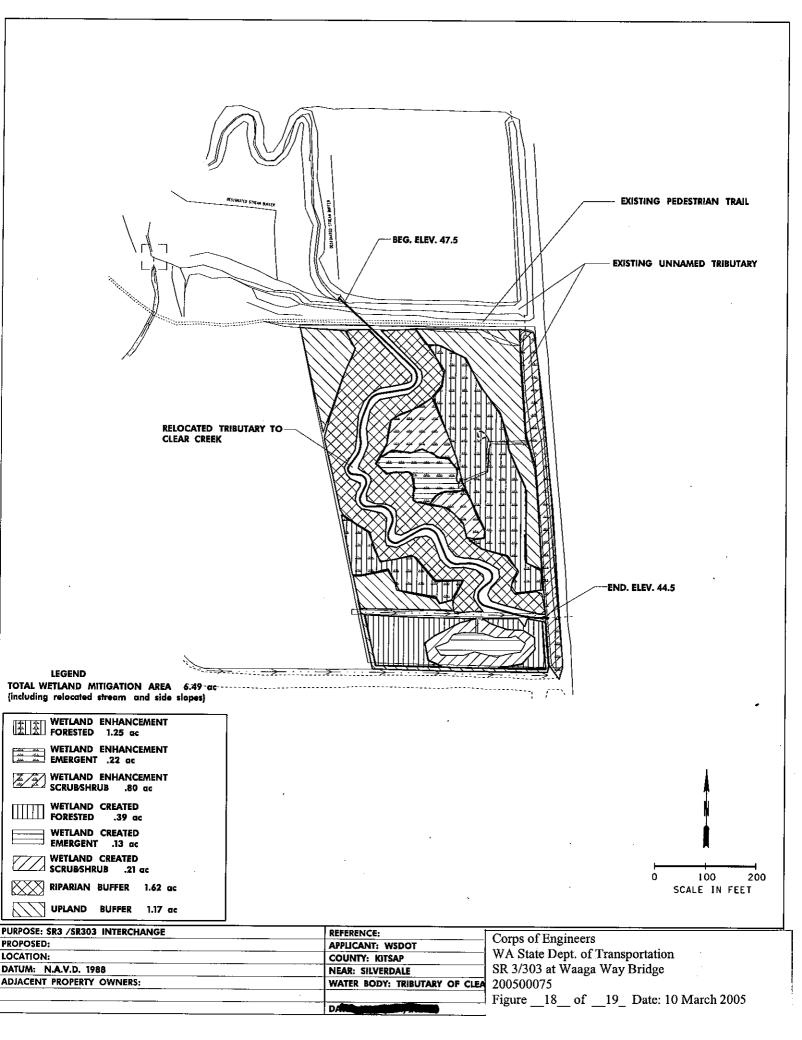
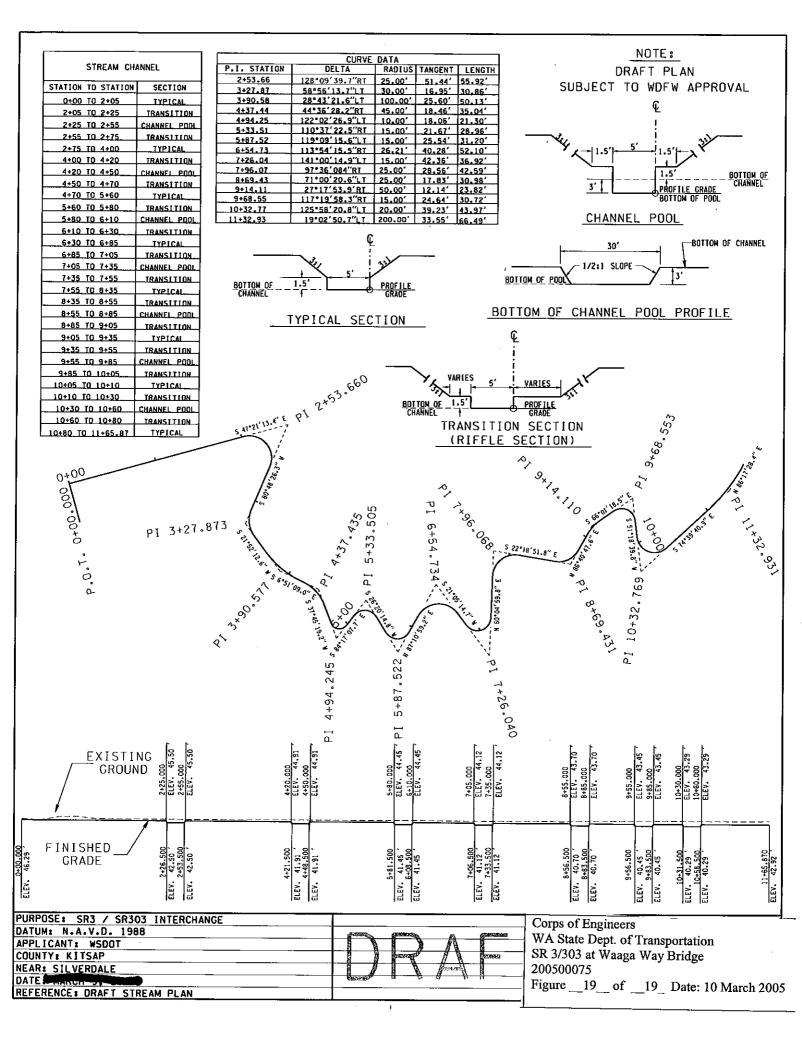


Figure 5. Wetland Map of Schold Farm Site with Wetland Area to be Enhanced and Created by WSDOT.







STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: March 30, 2005

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200200075 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator Department of Ecology SEA Program Post Office Box 47600 Olympia, Washington 98504-7600